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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 SEWRAWIT H. GEBREKIDAN, et  
11 al.,

12 Plaintiffs,

13 v.

14 USAA INSURANCE COMPANY, et  
15 al.,

Defendants.

CASE NO. C13-0508JLR

ORDER

16 Before the court is Defendants Karen Sharp and Kenneth Anderson's motion to  
17 dismiss for lack of proper service. (Mot. (Dkt. # 52).) Defendants contend that they were  
18 never served with a summons and complaint by Plaintiffs Sewrawit Gebrekidan and  
19 Kevin Johnson, who are proceeding pro se. (*See id.* at 1-2.) Indeed, there is nothing  
20 before the court to suggest that these Defendants have been served: Plaintiffs have filed  
21 nothing indicating that service took place. (*See Dkt.*) Plaintiffs also did not respond to  
22 Defendants' motion. (*See id.*)

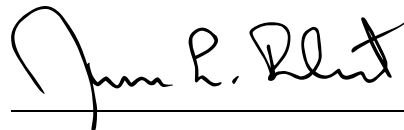
1 Federal Rule of Civil Procedure 4 requires plaintiffs to serve defendants with a  
2 summons and a copy of the plaintiff's complaint and sets forth the specific requirements  
3 for doing so. *See* Fed. R. Civ. P. 4. Rule 4(m), which provides the time frame in which  
4 service must be effected, states in relevant part:

5 If a defendant is not served within 120 days after the complaint is filed, the  
6 court—on motion or on its own after notice to the plaintiff—must dismiss  
7 the action without prejudice against that defendant or order that service be  
made within a specified time. But if the plaintiff shows good cause for the  
failure, the court must extend the time for service for an appropriate period.

8 Fed. R. Civ. P. 4(m).

9 More than 120 days have passed since Plaintiffs filed their Complaint. (*See*  
10 Compl. (Dkt. # 13) (filed on July 15, 2013).) Plaintiffs have given the court no indication  
11 that they ever served Ms. Sharp or Mr. Anderson, have made no showing of good cause  
12 justifying an extension of time, and have advanced no argument for why the court should  
13 not grant Ms. Sharp and Mr. Anderson's motion to dismiss. Accordingly, the court  
14 GRANTS Defendants' motion (Dkt. # 52) and DISMISSES Ms. Sharp and Mr. Anderson  
15 from this action without prejudice.

16 Dated this 6th day of May, 2014.

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20 JAMES L. ROBART  
21 United States District Judge  
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